

Appl. No. : **10/812,290**
Filed : **March 29, 2004**

COMMENTS

Claims 33-38 and 42-48 are now pending in the present application, Claims 33 and 42 having been amended, and new Claims 47 and 48 having been added. The claims set forth above include marking to show the changes made by way of the present amendment, deletions being in ~~strikeout~~ and additions being underlined.

In response to the Office Action mailed December 30, 2004, Applicants respectfully request the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Rheault et al. Does Not Anticipate Claims 33, 34, 42, and 43

Claims 33, 34, 42, and 43 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Rheault et al. Applicants respectfully traverse the present rejection. However, in order to expedite prosecution of the present application, Applicants have amended Claims 33 and 42. Applicants expressly reserve the right to further prosecute the original versions of Claims 33-38 and 42-46 through continuation practice.

Rheault et al. discloses a steering system in which a steering sensor, an electronic control system, a watercraft speed sensor, and a throttle position sensor are used together to increase the speed of the engine when the steering control device is turned beyond a predetermined degree. However, Rheault et al. fails to disclose an electronically controlled throttle valve actuator is disposed apart from the throttle valve and connected to the throttle valve with a cable for moving the throttle valve.

In contrast, Claim 33 now recites, among other recitations, “an electrically operated control device, and an electric throttle valve actuator arranged to operate the opening degree of the throttle valve, the throttle valve actuator being disposed apart from the throttle valve and being connected to the throttle valve with a cable, the control device being configured to control the throttle valve actuator based upon an output of the first sensor and an output of the second sensor.” Similarly, Claim 42 now recites, among other recitations, “a throttle valve and an electric throttle valve actuator disposed apart from the throttle valve, the method comprising sensing an opening degree of the throttle valve by one sensor, sensing an angular position of the steering assembly by another sensor, determining whether the sensed opening degree is less than a reference opening degree, determining whether the sensed angular position is greater than a reference angular position, and increasing the

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opening degree by moving the throttle valve with a cable connecting the throttle valve actuator and the throttle valve if the results of both determinations are affirmative.”

A non-limiting embodiment of the systems that can be employed and which fall within the scope of Claims 33 and 42 is illustrated in Figures 6 and 7. For example, as shown in Figures 6 and 7, a stepper motor unit 132a is an electric throttle valve actuator which is controlled by the engine controller (illustrated as ECU 86 in Figure 2). In the embodiment of Figure 7, the throttle valve 54 is mounted on a throttle valve shaft 94. A first pulley 120 is connected to a cable 118 which is directly connected to a throttle lever mounted on the handlebars of the associated watercraft. Additionally, another pulley 140 is connected to the throttle valve shaft 94 as well as a cable 142. As shown in Figure 6, the cable 142 is connected to the electric throttle valve actuator, which in this embodiment is a stepper motor unit 132a.

This type of embodiment provides a number of advantages. For example, by placing the stepper motor unit 132a apart from the throttle valve 54, the stepper motor unit 132a does not interfere with other components. For example, in the embodiment of Figure 6, a large stepper motor unit, if mounted directly to the throttle valve shaft 94, could interfere with the mounting of components of the induction system 108, such as the plenum chamber member 112.

Further, by using a remotely mounted electric throttle valve actuator connected to the throttle valve with a cable, which is the same type of mechanical mechanism normally used to directly connect the throttle valve shaft with a throttle lever disposed on the handlebars of an associated watercraft, the inputs from these two separate devices can be mechanically directed to the throttle valve 54 in a simple manner. For example, the embodiment of Figure 7 shows the two cables being connected to the same shaft 94.

Rheault et al. fails to provide any disclosure of such an arrangement, nor does it provide any type of suggestion for such an arrangement. Thus, Applicants submit that Claims 33 and 42 clearly and non-obviously define over the Rheault et al. reference. Additionally, Applicants submit that Claims 34-38 and 43-48 also define over the Rheault et al. reference, not only because they depend from one of Claims 33 or 42, but also on their own merit.

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The Applied Combination of Rheault et al./Mukumoto Does Not Make Obvious Claims 35-36, 38, and 44-46

Claims 35, 36, 38, and 44-46 stand rejected under 35 U.S.C. § 103(a) as being obvious over Rheault et al. in view of Mukumoto. Applicants respectfully traverse the present rejection. However, as noted above, Applicants submit that Claims 33 and 42 clearly and non-obviously define over the Rheault et al. reference. Thus, Applicants submit that Claims 35, 36, 38, and 44-46 also define over the cited art, not only because they depend from one of Claims 33 and 42, but also on their own merit.

The Applied Combination of Rheault et al./Bernier et al. Does Not Make Obvious Claim 37

Claim 37 stands rejected under 35 U.S.C. § 103(a) as being obvious over Rheault et al. in view of Bernier et al. Applicants respectfully traverse the present rejection. However, as noted above, Applicants submit that Claim 33 clearly and non-obviously defines over the Rheault et al. reference. Thus, Applicants submit that Claim 37 also defines over the cited art, not only because it depends from Claim 33, but also on its own merit.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

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